

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 187
Committee Substitute Favorable 3/14/23

Short Title: Equality in Education.

(Public)

Sponsors:

Referred to:

February 27, 2023

A BILL TO BE ENTITLED

AN ACT TO DEMONSTRATE THE GENERAL ASSEMBLY'S INTENT THAT STUDENTS, TEACHERS, ADMINISTRATORS, AND OTHER SCHOOL EMPLOYEES RECOGNIZE THE EQUALITY AND RIGHTS OF ALL PERSONS AND TO PROHIBIT PUBLIC SCHOOL UNITS FROM PROMOTING CERTAIN CONCEPTS THAT ARE CONTRARY TO THAT INTENT.

The General Assembly of North Carolina enacts:

SECTION 1. Article 8 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-81.61. Ensuring dignity and nondiscrimination in schools.

(a) The General Assembly finds that Section 1 of Article I of the Constitution of this State recognizes the equality and rights of all persons. Therefore, it is the intent of the General Assembly that students, teachers, administrators, and other school employees respect the dignity of others, acknowledge the right of others to express differing opinions, and foster and defend intellectual honesty, freedom of inquiry and instruction, and freedom of speech and association and that the public schools of North Carolina employ teaching methods and procedures to further that intent.

(b) For the purposes of this section, "promote" shall mean compelling students, teachers, administrators, or other school employees to affirm or profess belief in the concepts described in subsection (c) of this section.

(c) Public school units shall not promote that:

(1) One race or sex is inherently superior to another race or sex.

(2) An individual, solely by virtue of his or her race or sex, is inherently racist, sexist, or oppressive.

(3) An individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.

(4) An individual's moral character is necessarily determined by his or her race or sex.

(5) An individual, solely by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex.

(6) Any individual, solely by virtue of his or her race or sex, should feel discomfort, guilt, anguish, or any other form of psychological distress.

(7) A meritocracy is inherently racist or sexist.

(8) The United States was created by members of a particular race or sex for the purpose of oppressing members of another race or sex.

(9) The United States government should be violently overthrown.



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- 1 (10) Particular character traits, values, moral or ethical codes, privileges, or beliefs
2 should be ascribed to a race or sex or to an individual because of the
3 individual's race or sex.
- 4 (11) The rule of law does not exist, but instead is a series of power relationships
5 and struggles among racial or other groups.
- 6 (12) All Americans are not created equal and are not endowed by their Creator with
7 certain unalienable rights, including life, liberty, and the pursuit of happiness.
- 8 (13) Governments should deny to any person within the government's jurisdiction
9 the equal protection of the law.
- 10 (d) Public school units shall (i) notify the Department of Public Instruction and (ii) make
11 general information available on the public school unit's website, with detailed information
12 available upon request, at least 30 days prior to any of the following:
- 13 (1) Providing instruction regarding concepts described in subsection (c) of this
14 section in curricula, reading lists, seminars, workshops, trainings, or other
15 educational or professional settings.
- 16 (2) Contracting with, hiring, or otherwise engaging speakers, consultants,
17 diversity trainers, and other persons for the purpose of discussing concepts
18 described in subsection (c) of this section.
- 19 (3) Contracting with, hiring, or otherwise engaging speakers, consultants,
20 diversity trainers, and other persons who have previously advocated for the
21 concepts described in subsection (c) of this section by any of the following
22 means:
- 23 a. In published material such as a book, periodical, or other similar
24 medium, whether in print or online.
- 25 b. In a publicly available post on a social media account within the past
26 three years.
- 27 (e) Subsections (c) and (d) of this section shall not apply to the following:
- 28 (1) Speech protected by the First Amendment of the U.S. Constitution.
- 29 (2) Utilizing materials, as part of a course of instruction, curriculum, instructional
30 program, or supplemental instruction, that include the following:
- 31 a. The history of an ethnic group, as described in textbooks and
32 instructional materials adopted in accordance with Part 3 of this
33 Article.
- 34 b. The impartial discussion of controversial aspects of history.
- 35 c. The impartial instruction on the historical oppression of a particular
36 group of people based on race, ethnicity, class, nationality, religion, or
37 geographic region.
- 38 d. Historical documents relevant to sub-subdivisions a. through c. of this
39 subdivision that are permitted under G.S. 115C-47(29c).
- 40 (3) Accessing materials on an individual basis that advocate concepts described
41 in subsection (c) of this section for the purpose of research or independent
42 study.
- 43 (4) Stating concepts described in subsection (c) of this section or assigning
44 materials that incorporate concepts for educational purposes in contexts that
45 make clear the public school unit does not sponsor, approve, or endorse such
46 concepts or works."
- 47 **SECTION 2.** G.S. 115C-218.85(a) is amended by adding a new subdivision to read:
48 "(6) A charter school shall comply with G.S. 115C-81.61 in order to ensure dignity
49 and nondiscrimination at the charter school."
- 50 **SECTION 3.** G.S. 115C-238.66(1) reads as rewritten:
51 "(1) Academic program. –

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f. The board of directors shall comply with G.S. 115C-81.61 in order to ensure dignity and nondiscrimination at the regional school."

SECTION 4. G.S. 116-239.8(b)(2) reads as rewritten:
"(2) Laboratory school course of study. –

...
e. The chancellor shall comply with G.S. 115C-81.61 in order to ensure dignity and nondiscrimination at the laboratory school."

SECTION 5. Section 6(d) of S.L. 2018-32 is amended by adding a new subdivision

to read:

"(5b) G.S. 115C-81.61, Ensuring Dignity and Nondiscrimination in Schools."

SECTION 6. This act is effective when it becomes law.